



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4862

by Rep. Kathleen A. Ryg

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-8
305 ILCS 5/12-13

from Ch. 23, par. 5-8
from Ch. 23, par. 12-13

Amends the Illinois Public Aid Code. Provides that in supplying medical assistance, the Department of Healthcare and Family Services may provide for the legally authorized services of a licensed clinical psychologist or licensed clinical professional counselor. Provides that payment for services rendered to a specific recipient by a licensed clinical psychologist or licensed clinical professional counselor may be authorized only when services are recommended for that recipient by a person licensed to practice medicine in all its branches. Effective immediately.

LRB095 18147 DRJ 44230 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 5-8 and 12-13 as follows:

6 (305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

7 Sec. 5-8. Practitioners. In supplying medical assistance,
8 the Illinois Department may provide for the legally authorized
9 services of (i) persons licensed under the Medical Practice Act
10 of 1987, as amended, except as hereafter in this Section
11 stated, whether under a general or limited license, (ii)
12 persons licensed or registered under other laws of this State
13 to provide dental, medical, pharmaceutical, optometric,
14 podiatric, or nursing services, or other remedial care
15 recognized under State law, and (iii) persons licensed under
16 other laws of this State as a clinical social worker, clinical
17 psychologist, or clinical professional counselor. The
18 Department may not provide for legally authorized services of
19 any physician who has been convicted of having performed an
20 abortion procedure in a wilful and wanton manner on a woman who
21 was not pregnant at the time such abortion procedure was
22 performed. The utilization of the services of persons engaged
23 in the treatment or care of the sick, which persons are not

1 required to be licensed or registered under the laws of this
2 State, is not prohibited by this Section.

3 (Source: P.A. 95-518, eff. 8-28-07.)

4 (305 ILCS 5/12-13) (from Ch. 23, par. 12-13)

5 Sec. 12-13. Rules and regulations. The Department shall
6 make all rules and regulations and take such action as may be
7 necessary or desirable for carrying out the provisions of this
8 Code, to the end that its spirit and purpose may be achieved
9 and the public aid programs administered efficiently
10 throughout the State. However, the rules and regulations shall
11 not provide that payment for services rendered to a specific
12 recipient by (i) a person licensed under the Medical Practice
13 Act of 1987, whether under a general or limited license, (ii) a
14 person licensed or registered under other laws of this State to
15 provide dental, optometric, or pediatric care, or (iii) a
16 licensed clinical social worker, clinical psychologist, or
17 clinical professional counselor may be authorized only when
18 services are recommended for that recipient by a person
19 licensed to practice medicine in all its branches.

20 Whenever a rule of the Department requires that an
21 applicant or recipient verify information submitted to the
22 Department, the rule, in order to make the public fully aware
23 of what information is required for verification, shall specify
24 the acceptable means of verification or shall list examples of
25 acceptable means of verification.

1 The provisions of the Illinois Administrative Procedure
2 Act are hereby expressly adopted and incorporated herein, and
3 shall apply to all administrative rules and procedures of the
4 Illinois Department under this Act, except that Section 5-35 of
5 the Illinois Administrative Procedure Act relating to
6 procedures for rule-making does not apply to the adoption of
7 any rule required by federal law in connection with which the
8 Illinois Department is precluded by law from exercising any
9 discretion, and the requirements of the Administrative
10 Procedure Act with respect to contested cases are not
11 applicable to (1) hearings involving eligibility of applicants
12 or recipients of public aid or (2) support hearings involving
13 responsible relatives.

14 (Source: P.A. 95-518, eff. 8-28-07.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.